IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

&
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 2068 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 03/12/2004 in WP NO: 16174 OF 2004 on the file of the High Court.)

Between:

1 Belam Konda Ranga Chary, S/o.Krishnama Chary, aged about 35 years, Occupation: Junior Assistant, Srio Laxmi Nasrasimha Swamy Temple, Nacharamgutta, Medak District.
2. Bellam Konda Narasimha Chary, S/o.Krishnama Chary,aged abiout 44 years, Occupation: Junior Assistant, Sri Laxmi Narasimha Swamy Temple, Nacharamgutta, Medak District.

APPELLANTS

AND

The Commissioenr,Endowments Department, Tilak

Road,Boggulakunta, Hyderabad.

RESPONDENT

Counsel for the Appellants: MR.N.GURU GOPAL

Counsel for the Respondent : GP FOR ENDOWMENTS

The Court made the following :

JUDGMENT : (Per Honourable Smt. Justice T.Meena Kumari)

This writ appeal is filed by the writ petitioners-appellants herein aggrieved by the order in W.P. No: 16174 pf 2004, under which the learned single Judge dismissed the said writ petition.

The appellants herein are the writ petitioners. They have filed the writ petition in W.P.16174 of 2004 seeking to declare the action of the respondent in issuing the orders impugned herein as illegal and arbitrary and also to set aside the same. The learned single Judge having observed that no ground is made out to interfere with the order of transfer, dismissed the writ petition. Having aggrieved by the same, the present writ appeal is preferred by the writ petitioners-appellants herein.

Heard the learned counsel.

We have perused the order impugned and the entire material available on record. It is observed by the learned single Judge that in transfer orders, this Court will not interfere unless the jurisdiction of the authority is under challenge or some malafide is attributed or some illegality on the fact of the record is shown.

It is contended by the learned counsel for the writ petitioners-appellants that the order dated 7-8-2004 was issued transferring the petitioners-appellants and thereafter, within twenty days, the second order dated 27-8-2004 was passed modifying the transfer order and the same is illegal.

It is a settled principle that in case of administrative orders, the Courts will not interfere unless there is arbitrariness or malafides in passing such orders. As rightly observed by the learned single Judge, none of these grounds have been urged except stating that the subsequent transfer order has been passed on the influence of some third parties.

In the absence of any such material placed before this Court, We do not find any illegality or irregularity in the order passed by the learned single Judge, and the same does not warrant any interference by this Court. Accordingly, this writ appeal is

liable to be dismissed.

In the result, the Writ Appeal is dismissed at the admission stage. No costs.

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Justice T.Meenakumari

Date : 17th January, 2005

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Justice S.Ananda Reddy

Dvs/Gurc.

Copies to:

1. the Commissioner, Endowments Department, Tilak Road,Boggulakunta, Hyderabad.
2. the GP for Endowments, High Court Buildings, Hyderabad.(OUT)
3. Two CD copies.

HONOURABLE SMT. JUSTICE T.MEENAKUMARI

&

HONOURABLE SRI JUSTICE S.ANANDA REDDY

W.A.No.2068 of 2004

(Judgment delivered by Honourable Smt. Justice T.Meena Kumari)

17th January, 2005